

John Boehner
Chairman
8th District, Ohio

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.R. 858—Quincy Library Group Forest Recovery and Economic Stability Act
H.R. 1775—FY 1998 Intelligence Authorization Act



H.R. 858—Quincy Library Group Forest Recovery and Economic Stability Act

Floor Situation: The House is scheduled to consider H.R. 858 as its first order of business today. On Tuesday, the Rules Committee granted a modified closed rule providing one hour of general debate, equally divided between the chairman and ranking minority member of the Resources Committee. The rule makes in order a committee amendment in the nature of a substitute by Mr. Young as base text, and self-executes (i.e., incorporates into the base text upon passage of the rule) a manager's amendment (see below). It also makes in order a substitute amendment offered by Mr. Miller (CA) or a designee, debatable for one hour equally divided between a proponent and an opponent. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 858 directs the Agriculture Secretary to conduct a five-year land management pilot project in the Plumas, Lassen, and Tahoe National Forests in northern California. Specifically, the Quincy Library Group (QLG) proposal (1) requires the Forest Service to build a system of defensible fuelbreaks—areas where trees and other vegetation have been thinned to reduce the amount of material that fuel wildfires—by removing up to 40,000 to 60,000 acres of overgrowth a year; (2) requires the Forest Service to use uneven forest management practices—using single-tree selection and group selection to identify trees for logging—to create more fire-resistant forests; (3) establishes a program to restore streams and watersheds and improve water quality; (4) includes guidelines for riparian system protection—effectively adding buffer zones around watershed areas where no timber harvesting can occur prior to a watershed analysis; and (5) prohibits timber harvesting in all roadless areas in the national forests for the duration of the pilot project.

In addition, the bill also:

- * defers logging in certain specified areas, including identified spotted owl habitat areas and protected owl activity centers;
- * requires the Forest Service to initiate any amendments or revisions to the plan within 180 days of enactment;
- * directs the Agriculture Secretary to use the most cost-effective means available for implementing resource management activities; and
- * requires the Agriculture Secretary to submit a report to Congress by February 28 each year on the status of the pilot project.

CBO estimates that enactment of H.R. 858 will increase discretionary outlays to implement the bill by \$30 million in fiscal year 1998 and a total of \$83 million over the FY 1998-2002 period, assuming appropriation of the estimated amounts. The bill was introduced by Mr. Herger and reported by the Resources Committee by voice vote on May 21, 1997.

Views (on the overall bill):

Republican Leadership: Supports

Chairman Young: Supports

Clinton Administration: No Position Available

Amendments: At press time, the *Legislative Digest* was aware of the following amendments to H.R. 858:

—Manager’s Amendment—

The rule self-executes a manager’s amendment offered by Mr. Young to address a number of concerns raised by the Clinton Administration. Specifically, it:

- * requires the pilot project to be subject to an environmental impact statement no later than 150 days after enactment;
- * makes clear that the bill must comply with the California Spotted Owl guidelines;
- * makes clear that the bill must comply with all environmental laws;
- * includes incentives to employ cost-effective resource-management activities, with a portion of the net revenues going to riparian restoration projects;
- * restricts the use of funds to carry out the pilot project if it limits non-timber related multiple use activities; and
- * requires the Agriculture Secretary to conduct a science-based evaluation, including watershed monitoring, after one and a half years of the pilot project—instead of four years as required by the bill.

—The Miller Substitute—

The rule makes in order an amendment in the nature of a substitute offered by **Mr. Miller**, which includes several substantive changes to the bill. Specifically, the substitute (1) authorizes the Agriculture Secretary to conduct the pilot project only after completion of an environmental impact statement; (2) requires that the bill be implemented “to the extent consistent with applicable federal law and the standards and guidelines established in the California Spotted Owl guidelines;” (3)

institutes a “program of riparian management, including wide protection zones and an active restoration effort” that is taken directly from the QLG proposal; and (4) restricts the use of funds to carry out the pilot project if it limits non-timber related multiple use activities.

Proponents of the substitute argue that the bill only references riparian system protection in the context of timber harvesting and ignores the active riparian management and restoration program specifically advocated as one of three key objectives in the QLG proposal. They also argue that an environmental impact statement needs to be conducted before the pilot project commences. Opponents contend that the substitute requires the Forest Service to redefine the standard of a wide riparian buffer zone, whereas the bill uses the riparian buffer zone standards developed using sound science by a Forest Service scientific advisory team as part of the Pacific Northwest Forest Plan. They also argue that, with the addition of the manager’s amendment, the bill addresses all the concerns outlined by opponents of the bill by including additional language requiring an environmental impact statement and compliance with California Spotted Owl guidelines and all environmental laws. **Staff Contact: Rick Healy, x6-2311**

Additional Information: See *Legislative Digest*, Vol. XXVI, #19, July 3, 1997.



H.R. 1775—FY 1998 Intelligence Authorization Act

Floor Situation: The House will consider H.R. 1775 after it completes consideration of H.R. 858. Yesterday, the Rules Committee granted a modified open rule providing one hour of general debate, equally divided between the chairman and ranking minority member of the Intelligence Committee. The rule makes in order a committee amendment in the nature of a substitute as base text and waives House rules prohibiting (1) nongermane amendments, (2) appropriations in a legislative bill, and (3) consideration of tax or tariff measures which have not been reported by the Ways and Means Committee. The bill requires that amendments *must* be pre-printed in the *Congressional Record* in order to be considered. Finally, the rule provides for one motion to recommit, with or without instructions.

Summary: H.R. 1775 authorizes appropriations for the intelligence activities of 12 federal agencies including the Central Intelligence Agency (CIA), the National Security Agency (NSA), the Defense Intelligence Agency (DIA), the Federal Bureau of Investigation (FBI), and the Drug Enforcement Agency (DEA). The funding levels and personnel ceilings for most programs are outlined in a classified annex to the committee report, which members may view at the Select Committee on Intelligence in H-405 in the Capitol. CBO estimates that enactment will result in unclassified outlays of \$225 million over the next four years. The bill was introduced by Mr. Goss and was reported by the Intelligence Committee by a vote of 15-0.

Views (on the overall bill):

Republican Leadership: Supports

Chairman Goss: Supports

Clinton Administration: No Position Available

Amendments: At press time, the *Legislative Digest* was aware of the following amendments to H.R. 1775:

Mr. Conyers may offer an amendment (#2) to require the president, at the time of his annual budget request, to submit to Congress a separate, *unclassified* statement of intelligence appropriations and proposed appropriations for the next two fiscal years. Currently, the president submits a separate, classified request for funding for intelligence activities. **Staff Contact:** *Carl LeVan, x5-5126*

Mr. Frank (MA) may offer an amendment (#3) to reduce the authorization level to the president's requested level. This is approximately a 0.7 percent reduction. **Staff Contact:** *Daniel McGlinchey, x5-5931*

Mr. McCollum may offer an amendment (#4) to require the Director of Central Intelligence and the FBI Director to produce classified and unclassified annual reports concerning political, military, and economic espionage by the government of the People's Republic of China, as well as (1) intelligence activities designed to gain political influence, (2) efforts to gain direct or indirect influence through commercial or non-commercial intermediaries, and (3) disinformation and press manipulation. **Staff Contact:** *Karl Kaufmann, x5-2176*

Mr. Traficant may offer an amendment (#5) to establish a three-judge panel to determine whether cases involving breach of contract disputes between U.S. intelligence agencies and intelligence operatives should go to trial. The amendment directs the judicial panel to consider whether the information that would be disclosed in adjudicating an action could do serious damage to national security or would compromise U.S. intelligence sources. It also permits the panel to prescribe steps the court should take to protect national security if it determines that a particular case may go to trial. **Staff Contact:** *Dan Blair, x5-5261*

Ms. Waters may offer an amendment (#6) to require the CIA Inspector General to conduct and submit to Congress a study regarding CIA involvement in or knowledge of the use of chemical weapons against U.S. forces during the Persian Gulf War. **Contact:** *x5-2201*

Ms. Waters may offer an amendment (#7) to establish a nine-member Clandestine Drug Study Commission, appointed by the Attorney General, to examine possible CIA involvement in drug trafficking. The amendment grants the commission subpoena power to compel testimony and the ability to grant immunity to witnesses. The amendment authorizes \$750,000 to carry out the duties of the commission. **Contact:** *x5-2201*

Additional Information: See *Legislative Digest*, Vol. XXVI, #19, July 3, 1997.

